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# UNITED STATES DISTRICT COURT

## EASTERN DISTRICT OF WISCONSIN

DE'ANGELO CROSS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. 15-CV-1338-JPS

## JUDGMENT

**Decision Following Remand.** On May 30, 2017, this Court denied Petitioner's motion to vacate, set aside, or correct his sentence brought pursuant to 28 U.S.C. § 2255. (Docket #17). Judgment was entered accordingly that same day. (Docket #18). Petitioner appealed. (Docket #19).

On September 10, 2018, this Court received a mandate from the Seventh Circuit Court of Appeals in *De'Angelo A. Cross v. United States of America*, No. 17-2282 (June 7, 2018), finding that Petitioner is entitled to relief under Section 2255, reversing this Court's judgment, and remanding for resentencing. (Docket #29).

In accordance with the mandate of the Court of Appeals:

**IT IS ORDERED AND ADJUDGED** that the Court's May 30, 2017 judgment denying Petitioner's Section 2255 motion (Docket #18) be and the same is hereby **VACATED** (Docket #30);

**IT IS FURTHER ORDERED AND ADJUDGED** that Petitioner's motion to vacate, set aside, or correct his sentence under 28 U.S.C. § 2255 (Docket #1) be and the same is hereby **GRANTED** (Docket #30);

**IT IS FURTHER ORDERED AND ADJUDGED** that Petitioner be **RESENTENCED** in Criminal Case No. 00-CR-36-JPS in accordance with the Seventh Circuit Court of Appeals' June 7, 2018 opinion in Case No. 17-2282; and

**IT IS FURTHER ORDERED AND ADJUDGED** that this action be and the same is hereby **TERMINATED**.

APPROVED:



J.P. Stadtmauer  
U.S. District Judge

STEPHEN C. DRIES

Clerk of Court

*s/ Jodi L. Malek*

By: Deputy Clerk

September 19, 2018

Date